

CUSTOMER NO: 004372

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/330,215
Filing Date	June 11, 1999
First Named Inventor	PORTA et al.
Group Art Unit	1615
Examiner Name	G. Kishore
Attorney Docket Number	108907-09014

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to application Examination and Provisions Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14885 (Mar. 20, 2000); 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

27/Reg under
1.114

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Preliminary Remarks

Best
3-5-03

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, fee deficiency or credit any overpayments, to Deposit Account No. 01-2300
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) (\$750.00)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) (\$300.00)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	D. Daniel Dzara, II	Registration No. (Attorney/Agent)	47,543
Signature)	<i>[Signature]</i>	Date	February 19, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

03/06/2003 CBETANCO 00000012 012300 09330215

01 FC:1801 750.00 CH

TEC11/163156.1

28/Pre Response

RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1615

Bel

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

3-5-03

In re the application of:

Confirmation No: 9134

Roberto PORTA et al.

Art Unit: 1615

Application Number: 09/330,215

Examiner: G. Kishore

Filed: June 11, 1999

Docket No. : 108907-09014

For: USE OF COMPLEXES AMONG CATIONIC LIPOSOMES AND
POLYDEOXYRIBONUCLEOTIDES AND MEDICAMENTS

PRELIMINARY REMARKS

Box AF

Commissioner for Patents
Washington, D.C. 20231

February 19, 2003

Sir:

Further to the attached Request for Continued Examination, a Petition for Extension of Time for two months from December 17, 2002 to February 19, 2003 being attached hereto, please consider the following remarks.

REMARKS

In the Advisory Action dated February 10, 2003, the Examiner took the following positions. First, the Examiner stated that the cited references show that cationic liposomes have the ability to enhance the transfection of therapeutic molecules. The Examiner also stated that one of ordinary skill in the art would expect enhancement of the drug efficacy of the claimed oligonucleotides by the cationic liposomes. It is submitted that the Examiner's

TECH/163142.1